S.B.CR. MISC. PETITION NO. 1914/2007

(Kaushik Vs. State of Rajasthan & Ors.)

Date of Order :: December 08, 2007

HON'BLE MR. H.R.PANWAR,J.

Mr.P.C.Solanki, for the petitioner.

By the instant criminal misc. petition under section 482 Cr.P.C., the petitioner has challenged the order dt. 16.11.2007 passed by the Chief Judicial Magistrate, Pali (for short `the trial court' hereinafter) whereby at the request of the learned counsel for the petitioner, the matter was adjourned at the cost of Rs.200/- to 12th December, 2007. It appears from the order impugned that an application under section 126(2) Cr.P.C. was filed by the petitioner, copy whereof was made available to the counsel representing respondents No.2 and 3.

An application was moved on behalf of the petitioner's counsel stating therein that the petitioner's counsel, who comes from Jodhpur is unwell attaching therewith a copy of prescription slip. The trial court noticing that the matter has been again and again adjourned and on that very day also, the adjournment was sought on the ground of ill-health of the counsel for the petitioner, accepting the request made on behalf of the

petitioner's counsel, adjourned the matter to 12.12.2007 for reply and argument on the application as also the recording of the evidence of respondents No.2 and 3 at the cost of Rs.200/-. In my view, the order impugned is fully justified and there is no error or illegality warranting interference.

The petition is, therefore, dismissed.

[H.R.PANWAR],J.

m.asif/-

S.B.CR. MISC. STAY PETITION NO.1630/2007
IN
S.B.CR. MISC. PETITION NO. 1914/2007

(Kaushik Vs. State of Rajasthan & Or.)

Date of Order :: December 08, 2007

HON'BLE MR. H.R.PANWAR,J.

Mr.P.C.Solanki, for the petitioner.

Since the main petition has been dismissed, stay petition also stands dismissed.

[H.R.PANWAR],J.

m.asif/-